

Official Minutes for Webb County Commissioners Court Meeting

Monday, July 12, 2004 at 1:00 PM

(With corrections approved 07-26-2004 in bold and parenthesis)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8th day of July 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance – Led by Judge Louis H. Bruni
- Item No. 4 Approval of minutes – June 28, 2004

Cmr. Vasquez and Cmr. Gutierrez had no corrections to the minutes. Cmr. Velasquez stated that the minutes should show that Item No. 34 failed not passed with a vote of 2-3 with Cmr. Gutierrez and Judge Bruni voting in favor and Cmr. Vasquez, Cmr. Cortez and himself voting against. Ms. Margie Ramirez Ibarra, County Clerk, advised Court that this item raised some concerns earlier and after reviewing audio recordings, it showed that item passed. (After reviewing the video recording, the motioned failed 2-3 with Cmr. Vasquez, Cmr. Velasquez and Cmr. Cortez voting against) Cmr. Velasquez also stated that under Item No. 5, he questioned the rent payments and instructed the County Attorney to pursue the matter. He stated that he had also requested clarification on Item No. 6 regarding the 1/12 or \$1,000 limit on expenditures for incumbents not re-elected. Ms. Ibarra advised the court that as per the court's request, she reviewed the recordings for that item and stated that the Court was advised by Mr. Homero Ramirez, County Attorney, that there were three conditions stipulated in the order, including the 1/12th limit, the \$500.00 limit proposed but amended by the court to \$1,000.00 as well as no new expenditures. Mr. Ramirez clarified this by advising the court that the 1/12th limit was limited to total expenditures while the \$1000 limit was for individual purchases. He stated that once the total amount of individual purchases reached 1/12th of the budget, even

though the purchases may be less than \$1,000.00 individually, they must come before the court for approval. Mr. Leo Flores, County Auditor, advised the court that the action taken on Item No. 34 of the previous meeting was unnecessary since the Drug Court has its own budget and any monies expended from their Capital Outlay do not require Court approval. Cmr. Vasquez stated for the record that he voted in favor of Item No. 34. He stated that he knows that Ms. Ibarra is one of the hardest working officials and has a lot of integrity and he did not feel that Ms. Ibarra had any reason to lie to the Court about whether an item passed or failed. Cmr. Cortez stated that the only reason that the second motion was made was because it was understood that the first motion had failed. He questioned why item was placed on agenda if court had no jurisdiction on how funds are expended. Mr. Eloy Ramirez, Purchasing Agent, stated that all purchases from Capital Outlay that were not identified in the budget are brought before the court for approval as a courtesy. Mr. Homero Ramirez, County Attorney, agreed with Mr. Flores and stated that item did not need to come before court. He stated that it was common practice for the Purchasing Agent to authorize purchases up to \$25,000.00 as long as all established guidelines are met and anything over \$25,000.00 must be brought for the court for approval. He stated that the monies are for the exclusive use of the elected official that is authorized to spend the budget.

Cmr. Velasquez motioned to accept the minutes with corrections. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5 Approval of bills, payroll and monthly reports

Judge Bruni stated that his county issued cellular phone was allotted 1500 minutes and as per the report shown, he used 4 minutes in the month of May 2004. He advised Mr. Leo Flores, County Auditor, that he would be turning in his county issued cellular phone and wanted it disconnected since he hardly ever used it.

Mr. Leo Flores, County Auditor, presented his Auditor's Report for month ended June 30, 2004. He stated that an invoice shown on page 2 that was paid to the Texas Association of Counties in the amount of \$147,391.33 was done in order to maintain the required balance so that purchases can be made through the TAC. He also advised the court that several grants shown on page 11 are currently "in the red" but that the county will receive a grant from the Texas Water Development Board in the amount of \$9.5 million to pay for upcoming projects. He also stated that there is currently an 18% gap between the revenues collected and expenditures spent, which was very good news. Cmr. Gutierrez expressed concerns that the Indigent Health Care Program had only spent 31% of its budget this far into the year. She stated that she had received several calls from people who seem to qualify but have been turned away from the program. Cmr. Cortez reminded the court that many are now being referred to other programs. Mr. Leo Flores, County Auditor, stated that Mr. Frank X. Salinas, IHCP Interim Director, has been doing a good job and the program is projected to be \$500,000 (½ million) under budget. Cmr. Gutierrez inquired as to whether audits of the applications for those who were denied were performed during the internal audit. Mr. Flores stated that several applications were audited, including

some that were denied but qualified and some that were approved but did not qualify.

Cmr. Gutierrez motioned to accept the Auditor's Report. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Cortez advised the court and public that he had been advised that the total cost of new uniforms for the Sheriff's Department presented at the previous meeting was incorrect and the correct figure is very livable. He expressed hope that the new uniforms would be provided for those deputies that need them.

Item No. 7 Public Comment

Public comments were taken at the same time as the item.

Cmr. Velasquez motioned to move up Item No. 31. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Public Hearing on the proposed increase of water and sewer rates for the Webb County Utilities Department effective September 1, 2004.

Cmr. Gutierrez motioned to recess as the Commissioners Court and open the Public Hearing. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to open the Public Hearing. Cmr. Cortez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised the court that since they recessed from the meeting, no action or motions could be made.

Mr. Tomas Rodriguez, County Engineer, stated that the rate increase was proposed due to the number of water and sewer projects in the area. He stated that the county would be receiving a \$22 million grant from the Texas Water Development Board that required \$6 million in County-issued bonds. He stated that this would be the last increase for some time and was part of the rate study completed in 2001 that was required in order to obtain the grant. He stated that the study proposed an increase of approximately \$14.00 total rate increase but the total increase including this one would be approximately \$10.00. The study also recommended a rate increase from approximately \$14.00 to approximately \$28.00 but that has not been proposed. He stated that there are not enough monies in the budget to pay for the debt service on the bonds and if the rate increase was not approved, it would have

to come from the general fund. He stated that if the conditions for the grant are not met there is also a likelihood that the grant could be denied when the project is closed. Cmr. Velasquez stated that according to these calculations, the increase would generate approximately **(\$90,000)** a year and he felt that this could be funded from the general fund. Cmr. Cortez questioned bringing this item before the court if a previous court had approved or agreed with the proposed rate increases when this grant was brought before the court at the time for approval. Mr. Nathan Bratton, Assistant County Attorney, stated that a Public Hearing needed to be held at the time that the proposed rate increase would take place and the current court needed to act to accept or reject the proposed rate increase regardless of what a prior court had decided. Cmr. Cortez stated that he felt that their hands were tied since a previous court had already accepted the grant including the proposed rate increases.

Mr. Rafael Rodriguez, El Cenizo resident, was present to address the court on Item No. 31. He stated that he has resided in El Cenizo since 1995 and expressed concerns about the proposed increase. He stated that many residents live paycheck to paycheck and an additional increase would be a hardship on them. He stated that his family currently pays roughly \$110.00 a month plus sewer fees for a family of five. He stated that many Laredo residents do not pay such high rates as they do. He asked that the court vote against an increase.

Ms. Elvida Cantu, El Cenizo resident, was present to address the court on Item No. 31. She stated that without the proposed increase, her monthly bills jumped from \$90.00 to \$140.00. She stated that the residents should be a part of the decision making process since this affects them the most. She stated that water is vital to the community but that the rising rate can be fatal to families.

Ms. Rosa Jimenez, El Cenizo resident, was present to address the court on Item No. 31. She stated that she pays roughly \$75 and \$95 for the past two months and it was not fair what residents were paying for water services when the water is not potable and they still needed to purchase clean water for drinking.

Ms. Oralia Reyes, El Cenizo resident, was present to address the court on Item No. 31. She stated that she opposed the rate increase and stated that they were raised the previous year. She stated that though it is a very positive project, it was affecting the resident's negatively.

Ms. Maria Elena Hernandez was present to address the court on Item No. 31. She stated that her bill increased from \$35 to \$52. She stated that the water is dirty and she constantly suffers from medical problems from drinking the water. She also stated that you can only use the water one at a time because of the low water pressure.

Ms. Juanita Garcia was present to address the court on Item No. 31. She stated that she works all day and her kids are in school all day but the water bill is still very high. She expressed concerns about the meter being read incorrectly.

Ms. Virginia Villa, El Cenizo resident since 1989, was present to address the court on Item No. 31. She requested that the court give some relief to its citizens from

increasing rates. She stated that drainage is not being done at all the houses and only about ½ of the city is being equipped with drainage. She stated that the company is very disorganized and have done a lot of damage to properties. She stated that the new pipelines were not being connected to new pipelines but to old pipelines. She stated that there are foul odors that come up to the surface. She stated that the quality of work done is very poor and does not see a need to increase the rate for quality of work being done.

Mr. Ricardo Romo was present to address the court on Item No. 31. He stated that he had been advised of a possible increase of \$1-2 but has seen increases of 100-150% in the water bills of the majority of the residents. He stated that the meter readers are not doing their jobs because many of the meters are under 6-12 inches of dirt that they do not clean off before doing the reading. He stated that residents who are gone for 6-7 months due to their work are being billed \$70-80 a month when no one is in the home for that time.

Ms. Lucia Fernandez was present to address the court on Item No. 31. She complained of the rate increase and state that there have been a lot of problems with the sewer lines. She stated that some months the bills are very low and other months the bills are very high.

Judge Bruni motioned to reject the proposed rate increase. Cmr. Velasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised the court that no action could be taken during the Public Hearing.

Judge Bruni ordered the Public Hearing closed. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Close Public Hearing

Cmr. Velasquez motioned to bring back Item No. 31. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Public Hearing on the proposed increase of water and sewer rates for the Webb County Utilities Department effective September 1, 2004.

Judge Bruni motioned to reject the proposed rate increase.

Mr. Homero Ramirez, County Attorney, advised the court that no action could be taken as this is not an action item but that it would be brought before the court at the following meeting.

Judge Bruni called for a short break.

BREAK

Cmr. Gutierrez motioned to move up Item No. 64. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64 Discussion and possible action regarding litigation threatened by the Texas Commission on Jail Standards. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this item concerned possible litigation and Executive Session was requested in order to confer with outside counsel Allison Bass & Associates.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:01 pm to 3:49 pm)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

Judge Bruni advised the Court and public that a meeting was going to be held in Austin between the Jail Commission and Mr. Bass, legal counsel for Webb County in this matter, County Sheriff Juan Garza, Mr. Homero Ramirez, County Attorney, and Cmr. Gutierrez representing Judge Bruni who will be unable to attend.

Item No. 8 Status report on the inter-local agreement between the City of Laredo and Webb County on the extension of water lines to the colonias on Highway 359

Mr. Tomas Rodriguez, County Engineer, stated that he spoke with Mr. Kendall who advised him that the Mines Road and Highway 359 project was approximately 9 months behind due to right of way acquisitions, completion of engineering services, etc. He stated that approximately 4-5 colonias would have service in December 2005 with the remainder receiving service in December 2006. He stated that Tanquecitos I & II, San Carlos I & II and Penitas would be ready first. Cmr. Cortez stated that he advised Mr. Juan Vargas, Economic Development Director, to contact Mr. Kendall and have him give a presentation to the court on this project as well as what is causing the delays and what can be done to expedite project. Mr. Rodriguez stated that a meeting with Mr. Kendall has been set for July 22nd.

Item No. 9 Status report on the drilling of the Webb County water well # 1 into the Carrizo-Wilcox aquifer

Mr. Tomas Rodriguez, County Engineer, stated that he spoke with Mr. Jim Brown and stated that there had been some trouble in receiving competitive bids for the drilling.

- Item No. 10 Status report on the payroll audit conducted by Mejia & Co., P.L.L.C, relating to fines, penalties and interest paid by the County Treasurer to the Internal Revenue Service as a result of filing untimely payroll reports and/or submitting incorrect payroll tax payments; and this firms' recommendation for improving the County's payroll system.

Cmr. Vasquez stated that on October 15, 2003, a payroll audit was performed and in the years 2001-2003, Webb County was fined \$113,695 in penalties and interest for filing late and inaccurate reports. He stated that there were problems with inaccurate or insufficient FICA deductions being made from the employees' paychecks as well as incorrect FICA taxes being paid by the County. He stated that when Ms. Delia Perales, County Treasurer, came into office, she paid the employees' share of FICA taxes without prior court authorization or approval. Ms. Delia Perales, County Treasurer, stated that when she came into office, she took over four years of problems left by the previous administration and was only late on her filings one year during her term. She had been advised by the IRS agent that her reports are in order and accurate. Cmr. Vasquez stated that Mejia & Associates advised him that Webb County may be eligible for \$6,677 in abatements (reimbursements) for fines paid on late or incorrect filings but that there was a chance that entire \$113,695 would not be abated. Cmr. Velasquez stated that he has requested the agreed upon procedures before as well as the splitting of the \$113,695 be divided between Ms. Perales' term and that of her predecessor. He stated that the current system is old and needed to be updated. Ms. Perales stated that there was roughly \$60,000 from her term which stood to be abated. She stated that she had met with several Court staff members regarding this. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that he did attend meeting and disbursed report as soon as he received it from Mejia & Associates. Cmr. Vasquez stated that he has been advised by the Independent Auditor that there was no guarantee that those monies would be abated. Mr. Leo Flores, County Auditor, stated he was concerned that the 2000 FICA limits had been set improperly and the county paid for both the employer and employee fees. He stated that employees who owed these monies would need to be advised to pay for what they owe. Mr. Jorge Flores, County Judge's Chief Financial Officer, stated that the large penalties fined in 2002 were because the W-2's were submitted late due some were illegible.

- Item No. 11 Discussion and possible action to amend the county travel policy to increase the mileage rate from 31 cents per mile to 37 cents per mile.

Cmr. Cortez stated that he had concerns about employees having to pay expenses out of their own pockets when they travel out of town on County business.

Cmr. Cortez motioned to approve item as submitted effective immediately. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to move up Addendum Item No. 1. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 1

Discussion and possible action to reduce the current property tax rate by three cents effective October 1, 2004 and for FY Budget 04-05.

Cmr. Velasquez stated that this item would be for fiscal year 2004-2005. He stated that there had been a lot of discussion regarding the property valuations. He stated that for 2004, the projected property assessment value was \$8.4 billion. In 2003, the projected property assessment value was \$7.3 billion with **(\$28 million collected)** in property taxes and \$26.8 billion collected. He stated that the current rate was \$0.370948 for every \$100. He stated that even if the tax rate is decreased by **(\$0.03)**, the projected property tax assessment would be approximately \$28.7 million, a difference of \$3-4 million if the rate is not changed. He requested the court's support in giving its residents some relief. Cmr. Cortez stated that he would not vote for a tax increase and felt that this was not the time to take advantage of the higher valuations by increasing the amount of property taxes that people are paying. Judge Bruni stated that if the county were to lower the tax rate, the loss in additional tax revenues combined with the loss in revenues for housing federal inmates would most likely require the court to raise the tax rate in the future. He also stated that lowering the tax rate might also affect the county's bond rating. Cmr. Gutierrez expressed concerns about the impact that unfunded mandates are having on local governments. She stated that programs mandated by the federal government but not subsidized have had a tremendous impact as well as projects such as the Youth Village which was approved by voters, as well as the Indigent Health Care Program, Indigent burials/defense, the new morgue, not including any mandates that may be implemented in the future. She recommended that the court look into the possibility of some tax relief once the budget has been prepared. She stated that in order for the citizens to be able to feel some tax relief, all the taxing entities must be willing to lower their tax rates. Cmr. Vasquez stated that though well intentioned, lowering the tax rate would not result in the lowering of other living and working expenses. Mr. Leo Flores, County Auditor, stated that though valuations went up, approximately ½ of the projected property assessment value came from new homes. Ms. Patricia Barrera, County Tax Assessor Collector, advised the court that the use of a lot of land has also been reclassified to residential.

Cmr. Velasquez motioned to table item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12

Discussion and possible action to approve expenditures made by incumbent county and precinct officers who were not renominated to their respective county or precinct office pursuant to section 130.908 of the Texas Local Government Code as follows:

- Constable, Precinct 1
Public Agency Training Council \$275.00

Public Agency Training Council \$275.00

- Sheriff
 - Transcor America \$4,175.26
 - Dr. Ike's \$3,486.01
 - Star Paper and Janitorial Supply \$2,055.80
 - J. R. Martinez Auto South \$1,285.90
 - Bob Barker Co. \$3,050.00
 - Dot Comm. Telephone Service \$ 350.00
 - Five Star Services \$1,616.00
 - J. R. Martinez Auto South \$1,273.40
 - Sheriff Juan Garza \$1,660.70
 - Laredo Discount Metal \$1,156.98
 - Star Paper and Janitorial Supply \$4,069.25
 - Bob Barker Co. \$1,425.00
 - LCC Police Academy \$8,000.00

Mr. Homero Ramirez, County Attorney, recommended that the items for Constable Pct. 1 be taken along with Item No. 22.

Cmr. Cortez motioned to bring up Item No. 22. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to authorize a waiver of the Commissioners Court order pursuant to Local Government Code section 130.908 and authorize the expenditure of NINE HUNDRED AND NINETY-SEVEN DOLLARS (\$997.00) from Webb County Fund 012-2500-6011 (Training and Education) by Constable Raul Hinojosa. [Requested by Webb County Constable Raul Hinojosa]

Constable Raul Hinojosa, Pct. 1, stated that this was for a travel request to be paid with monies from the State Comptrollers Office.

Cmr. Cortez motioned to approve Constable Pct. 1's items in No. 12 and Item No. 22. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Discussion and possible action to approve expenditures made by incumbent county and precinct officers who were not renominated to their respective county or precinct office pursuant to section 130.908 of the Texas Local Government Code as follows:

- Constable, Precinct 1
 - Public Agency Training Council \$275.00
 - Public Agency Training Council \$275.00

- Sheriff

Transcor America	\$4,175.26
Dr. Ike's	\$3,486.01
Star Paper and Janitorial Supply	\$2,055.80
J. R. Martinez Auto South	\$1,285.90
Bob Barker Co.	\$3,050.00
Dot Comm. Telephone Service	\$ 350.00
Five Star Services	\$1,616.00
J. R. Martinez Auto South	\$1,273.40
Sheriff Juan Garza	\$1,660.70
Laredo Discount Metal	\$1,156.98
Star Paper and Janitorial Supply	\$4,069.25
Bob Barker Co.	\$1,425.00
LCC Police Academy	\$8,000.00

Sheriff Juan Garza expressed concerns about the new legislation that restricted his department from making expenditures over \$1,000 or 1/12 of the budget. He stated that his department has the largest budget in the county and is the only one that is open 24 hours a day, 7 days a week, 365 days a year. He stated that he had been advised by counsel in Austin that this legislation may not include forfeiture funds and that many of the invoices presented today were submitted before the order was approved. Mr. Homero Ramirez, County Attorney, stated that the court had no discretion regarding the choice of the statute and that its sole purpose was for oversight. He recommended that the policy remain the same for everyone who was not renominated to their office and that they come before the court for approval even if the County Auditor reviews and recommends approval. He stated that the court already made two exceptions for the Food and Medication line items in the Sheriff's Department. He stated that this order legally came into effect after the primary elections. Mr. Leo Flores, County Auditor, stated that he had several bills pending from the Sheriff's Department, including one from CP & L of approximately \$7,600 and one from Reliant Energy of \$6,840.65.

Judge Bruni advised the court and public that the Fourth Court of Appeals had ruled in favor of Democratic Congressional District 28 nominee Henry Cuellar and had certified him as the winner of the disputed race. Judge Bruni called for a short break

BREAK (5:20 pm – 5:46 pm)

Cmr. Velasquez motioned to approve the Sheriff's expenditures.

Mr. Rick Flores, Sheriff Elect, requested that Item No. 30, No. 54, No. 55 and No. 59 be taken with Item No. 12.

Cmr. Vasquez motioned to move up Item No. 30, No. 54, No. 55 and No. 59. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to enter into a contract with Vertex Targeted Opportunities, LTD., to re-implement federal reimbursement

housing illegal aliens at the Webb County Jail at the rate of 22% compensation for any reimbursement generated above the baseline amount through Vertex' efforts and authorizing the county judge to sign all relevant documents.

- Item No. 54 Discussion and possible action to purchase ammunition from Border Sporting Goods for the Law Enforcement Center in the amount of \$4,815.00. [Account # 012-2060-6011 Training and Education]
- Item No. 55 Discussion and possible action to purchase 85 gallons of white paint and 15 gallons of base grey duron deep for the Law Enforcement Center for a total of \$2,695.00. [Account # 001-2001-6205 Materials and Supplies]
- Item No. 59 Discussion and possible action to obtain to services of Allied Fire Protection to install (1 each) control valve assemblies on 1st, 2nd, 3rd and 4th floor of the Law Enforcement Center for \$1,245.00 and 1 annual inspection of the fire sprinkler system in the Jail for \$600.00 for a grand total of \$1,845.00. [Account # 001-2060-6401 Repairs and Maintenance – Buildings]

Mr. Rick Flores, Sheriff-elect, questioned the \$4,175.26 being paid to Transcor America. He stated that this was a private transportation company and that he believed that county had own transportation to transport prisoners. Sheriff Juan Garza stated that an extradition study conducted showed that it was more cost effective to use a private company than sending two or three deputies, pay them overtime as well as travel, lodging and mileage. Cmr. Vasquez questioned payment requested for Dot Comm. Telephone Services. Ms. Ana McCoy from the Sheriff's Department stated that this was for the rewiring done on their intercom system. Mr. Rick Flores, Sheriff-elect, thanked Sheriff Garza for his clarification.

Cmr. Velasquez motioned to approve Item No. 12, No. 30, No. 54, No. 55 and No. 59 with discussion. Cmr. Cortez seconded the motion.

Cmr. Velasquez questioned whether the compensation rate (22%) for Item No. 30 was the same as the prior contract. Mr. Leo Flores, County Auditor, advised him that it was the same rate. Mr. Homero Ramirez, County Attorney, stated that he recommended approval on Item No. 30 with the following changes to the contract proffered by Vertex: a modification to base line paragraph that is a bit vague, changing the venue provision and deleting the auto renewal provision.

Cmr. Velasquez motioned to incorporate the conditions proposed by the County Attorney. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni advised the court that only time-sensitive items would be taken due to the time and that all other items would be taken during a special meeting on Monday, July 19th at 1:00 pm.

Cmr. Gutierrez requested that Item No. 51 and No. 52 be taken today as they are time-sensitive.

Item No. 51 Discussion and possible action to solicit bids for the Villa Antigua Project Phase I.

Mr. Eloy Ramirez, Purchasing Agent, under the direction of Frank Architects project is ready to solicit bids for Phase I of the Villa Antigua Project

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52 Discussion and possible action to solicit bids for environmental remediation for the Villa Antigua Project Phase I.

Cmr. Gutierrez stated that this item was for the environmental remediation of the Villa Antigua project Phase I.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to move up Item No. 49. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49 Discussion and possible action to authorize the following line item transfers:

From:

001-1102-6028	Witness Expenditure	\$1,000.00
001-1102-6007	Dues & Membership	\$1,500.00
001-1102-5601	Administrative Travel	\$1,000.00

To:

001-1102-6022	Professional Service	\$2,500.00
001-1102-6205	Materials & Supplies	\$1,000.00

Motion made was to bring up Item. No motion was made for approval.

Cmr. Velasquez motioned to move up Item No. 62. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 62 Discussion and possible action to authorize the following line item transfers:

From:	010-7002-6205	Materials & Supplies	\$30,000.00
To:	010-7002-6402	Equipment Maintenance	\$10,000.00
	010-7002-6204	Fuel & Lube	\$20,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni advised Court that all other items would be taken at a special meeting to be held on July 19, 2004 at 1:00 pm. Mr. Homero Ramirez, County Attorney, stated that agenda needed to be posted in accordance with the open meetings act.

Court was advised by Ms. Margie Ramirez Ibarra, County Clerk, that motion for Item No. 49 was not made.

Cmr. Vasquez motioned to approve Item No. 49. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 66 Adjournment

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

No Actions Taken On These Items During Meeting Rescheduled for Special Meeting

- Item No. 13 Discussion and possible action regarding amendment of Webb County Personnel Policies manual to include new section 16.02 concerning the Community Action Agency which section shall include a prohibition against conflicts of interest, prohibition of sectarian activities, Whistleblower protection, and prohibition against employment of CAA Advisory Board member by a CAA contractor.
- Item No. 14 Discussion and possible action to enter into an agreement with the State of Texas, acting through the Texas Department of Transportation, to accept for FY 2004 (June 11, 2004 through June 30, 2005) a "Vehicle Capital Replacement Grant" (Misc. Contract No. 51322F6033) in the amount of FIFTY SIX THOUSAND DOLLARS (\$56,000.00) and authorizing the Webb County Judge to sign all relevant documents. [Requested by Community Action Agency/EI Aguila Rural Transportation]
- Item No. 15 Discussion and possible action to enter into a computer software support services agreement (real estate, personal property tax administration, billing, collection and distribution system application software support services) with Easy Access Inc., for the Tax Assessor Collector's AS400 computer for a twelve (12) month period beginning September 9, 2004, and renewable for one additional twelve (12) month period beginning upon acceptance of an annual agreement at a cost of TEN THOUSAND EIGHT HUNDRED AND SEVENTEEN DOLLARS (\$10,817) and authorizing the County Judge to sign all relevant documents. [Account # 001-0500-6402 Repairs and Maintenance Equipment]
- Item No. 16 Discussion and possible action to enter into a Service Agreement with Ana Maria Peña, registered dietician, for Children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2004 through September 30, 2005), at reduced fees as set forth in the agreement, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements), and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]
- Item No. 17 Discussion and possible action to enter into Non-Financial Mental Health Professional Service Agreements with Border Region MHMR Community Center for children enrolled in the Webb County Head Start Program for a period of twenty-four (24) months, beginning August 1,

2004 through July 31, 2006, at no cost to Webb County and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

- Item No. 18 Discussion and possible action to enter into Mental Health Service Agreements for Children enrolled in the Webb County Head Start Program for a period of twenty-four (24) months, beginning August 1, 2004 through July 31, 2006, at reduced fees as set forth in the agreements, with LOE-DEL, Inc. of Corpus Christi and authorizing an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.[Requested by Head Start]
- Item No. 19 Discussion and possible action to enter into Non-Financial Cooperative Agreements for the Head Start Program with the following Agencies, Political Subdivisions, Corporations for a period of one (1) year:
- | | |
|--|----------------------------|
| American Heart Association | (8/1/2004 through 7/31/05) |
| Catholic Social Services of Laredo, Inc. | (8/1/2004 through 7/31/05) |
| Central Welfare Agency | (8/1/2004 through 7/31/05) |
| Literacy Volunteers of Laredo | (9/1/2004 through 8/31/05) |
| Office of the Attorney General of Texas-Child Support Enforcement Division | (8/1/2004 through 7/31/05) |
| Texas Department of Protective and Regulatory Services | (8/1/2004 through 7/31/05) |
- and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]
- Item No. 20 Discussion and possible action to enter into a Non-Financial Professional Service Agreement with the South Texas Council on Alcohol and Drug Abuse, for parents and guardians of children enrolled in the Webb County Head Start Program for a period of twenty-four (24) months (September 1, 2004 through August 31, 2006), at no cost to Webb County, and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]
- Item No. 21 Discussion and possible action to enter into contract amendment number one (1) to the Rural Transportation Federal Fund Grant Agreement (No. 51422F7107) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts an increase to the original grant amount from ONE HUNDRED AND SIXTY SIX THOUSAND FIVE-HUNDRED AND NINETY ONE DOLLARS (\$166,591.00) to TWO HUNDRED AND FOUR THOUSAND ONE HUNDRED AND THIRTY SEVEN DOLLARS (\$204,137.00) for the "El Aguila" Rural Transportation Program and authorizing the Webb

County Judge to execute all relevant documents. This Grant will be used for administrative and operational expenses. [Requested by Webb County CAA, "El Aguila" Rural Transportation]

- Item No. 23 Discussion and possible action to enter into a Host Agency Agreement with SER-Jobs for Progress National, Inc. /Senior Community Service Employment Program (SER/SCEP) which will provide Community Action Agency with volunteers who will carry out light duty jobs for their different locations at no cost to Webb County and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]
- Item No. 24 Discussion and possible action to, by resolution and order of the Court, agree to the terms and conditions of and enter into a "Local Transportation Project Advance Funding Agreement for A Statewide Connectivity Corridor Project" with the State of Texas, Texas Department of Transportation for the construction of a new Seven Lane Urban Section (Quatro Vientos Road) and authorizing the County Judge to sign all relevant documents.
- Item No. 25 Discussion and possible action to accept 9 rights of way and public utility easements, out of Pueblo Nuevo Subdivision, one (1) right of way and public utility easement out of Ranchitos 359 East Subdivision, two rights of way and public utility easements out of Laredo Ranchettes, Inc. Subdivision, one (1) right of way and public utility easement out of Antonio Santos, and authorizing the County Judge to sign all relevant documents.
- Item No. 26 Discussion and possible action to enter a resolution and order of the court agreeing to the terms and conditions of the Local Transportation Advance Funding Agreement for Bridge Replacement or Rehabilitation Off the State System (CSJ: 0922-33-075 Mines Road San Lorenzo Creek Bridge) and authorizing the County Judge to sign the agreement.
- Item No. 27 Discussion and possible action to, by resolution and order of the Court, agree to the terms and conditions of and enter into a contract (TCDP # 722205) with the State of Texas, Office of Rural Community Affairs for public sanitary sewer service for Colonia Tanquecitos I, designating signatories and authorizing the County Judge to sign all relevant documents.

- Item No. 28 Discussion and possible action to enter into an Interlocal Cooperation Agreement with the Webb County Appraisal District for the exchange of GIS data and authorizing the County Judge to sign all relevant documents.
- Item No. 29 Discussion and possible action to enter into a contract with Daprex, Inc., for a software license and software maintenance agreement in the amount of TWELVE THOUSAND TWO HUNDRED NINETY-EIGHT DOLLARS (\$12,298.00) and authorizing the County Judge to sign all relevant documents. [MIS Department Account # 001-0500-6402 (Repairs and Maintenance Equipment) for the amount of \$2,523.00 and County Auditor's Account # 001-0400-6022 (Professional Services) for the amount of \$9,775.00]
- Item No. 32 Report by County Engineer on the Consumer Confidence Report of Webb County's Water Treatment Plant in Rio Bravo and at Las Lomas on Highway 59.
- Item No. 33 Discussion and possible action to itemize and set fees by order for Road Permits pursuant to the provisions of Section 251.017, Texas Transportation Code.
- Item No. 34 Discussion and possible action authorizing the County Judge to submit an "Economically Disadvantaged Counties Program Project Information Sheet" and an "Affidavit" for the Cuatro Vientos Project.
- Item No. 35 Discussion and possible action authorizing the County Judge to execute a 12 foot and a 6 foot wide electrical utility easement with AEP/CPL for the Rio Bravo Community Center on Limon & Orquidia Lane in Rio Bravo, Texas.
- Item No. 36 Discussion and possible action to approve final payment to Mr. Stephen R. Gibson of Gibson Gonzalez Associates in the amount of \$15,817.87 for April 2004 and \$15,072.62 for May 2004 for a total of \$30,890.49. This was for the preparation and submittal of the presidential permit for Webb County International Bridge # 1. [Account # 662-8104-6022 Professional Services Bridge Project Series 2003]
- Item No. 37 Discussion and possible action authorizing Change Order # 2 to Ramos Industries, Inc., increasing the contract by \$33,658.00 from \$1,318,540.00 to \$1,352,198.00. An increase of \$25,000.00 is a result of steel prices affecting the structure, electrical and pumps of the three

lift stations to the TWDB-EDAP Wastewater Collection System Project on the north side of El Cenizo. This change order is also for the extension of 200 feet of an 8 inch PVC sewer line and one manhole at a cost of \$8,658.00.

- Item No. 38 Discussion and possible action authorizing the transfer of funds for the TWDB-EDAP projects:

From:		
646-8005-6791-3	Contingency	\$ 1,512.87
647-8006-8801-8	Construction	\$27,576.64
To:		
646-8005-6048	License & Permits	\$ 1,512.87
647-8006-6022-11	Professional Service Bond Issue	\$27,576.64

- Item No. 39 Discussion and possible action to authorize the following line item transfer:

From:	001-1100-6205	Materials & Supplies	\$2,000.00
To:	001-1100-6010	Books & Subscriptions	\$2,000.00

- Item No. 40 Discussion and possible action to approve Change Order # 3 to the C. G. Construction Contract (El Cenizo Recreational Center) by adding \$28,485.00 for the installation of a fence, add a small kitchen to the community center, and removal of existing metal structure adjacent to new building. [Account # 678-8103-8710-1 Park Development Precinct 1 Series 2001]

- Item No. 41 Discussion and possible action to approve Change Order # 1 to the C. G. Construction Contract (Rio Bravo Community Park) by adding \$36,841.13 for the relocation of power lines, telephone and cable wiring away from job site. [Account # 678-8103-8710-1 Park Development Precinct 1 Series 2001]

- Item No. 42 Discussion and possible action to approve the acceptance of El Cenizo Recreational Center building as recommended by the project architect, Mr. Jose Calzada, Architectura S. A. and that all final bills and retainage be approved.

- Item No. 43 Discussion and possible action to approve a resolution authorizing the Honorable Louis H. Bruni, Webb County Judge, the Honorable Judith G. Gutierrez, Commissioner Precinct 2, and the Honorable David R. Cortez, Commissioner Precinct 4, to be designated as authorized signatories for the Office of Rural Community Affairs Program TCDP Contract # 722205.

- Item No. 44 Discussion and possible action to authorize the following line item transfers:
- | | | | |
|---------------|-----------------------|--|-------------------|
| From: | | | |
| 001-0104-6403 | Vehicle Maintenance | | \$ 642.00 |
| 001-0104-6402 | Equipment Maintenance | | \$ 500.00 |
| 001-0104-6010 | Books & Subscriptions | | \$ 50.00 |
| 001-0104-5602 | Local Mileage | | \$ 60.00 |
| | | | Total: \$1,252.00 |
| To: | | | |
| 001-0104-5601 | Administrative Travel | | \$1,192.00 |
| 001-0104-6011 | Training & Education | | \$ 60.00 |
| | | | Total: \$1,252.00 |
- Item No. 45 Discussion and possible action to authorize the following line item transfer:
- | | | | |
|-------|---------------|-----------------------|------------|
| From: | 001-1040-6022 | Professional Services | \$1,000.00 |
| To: | 001-1040-5601 | Administrative Travel | \$1,000.00 |
- Item No. 46 Discussion and possible action to itemize and set fees by Order of Floodplain Development Permits pursuant to the provisions of Section 16.324, Texas Water Code.
- Item No. 47 Discussion and possible action to enter into an inter-local agreement with the City of Laredo, as Administrator of the 9-1-1 Regional Strategic Plan for the Regional Planning Commission, for a six month period beginning March 1, 2004 and ending August 31, 2004 in the amount of \$36,026.00 for the provision of 9-1-1 addressing and addressing database maintenance by the County of Webb; and authorization for the County Judge to execute all relevant documents.
- Item No. 48 Discussion and possible action to authorize the Purchasing Agent to purchase real-time GPS surveying equipment as necessary to perform topographical surveys for floodplain management activities, site evaluations, road surveys, drainage studies, etc. and to upgrade the County's digital mapping and 9-1-1 addressing efforts in an amount not to exceed \$40,000.00; funding available under the following accounts:
- | | | |
|---------------|-----------------------|---------------|
| 606-8001-8405 | Computerization Costs | (\$8,607.00) |
| 606-8001-7409 | Rural Addressing | (\$10,915.00) |
| 010-0102-8801 | Capital Outlay | (\$20,478.00) |
- Item No. 50 Discussion and possible action to purchase 1 computer in the amount of \$2,000.00 for the Veterans Department. [Account # 660-0101-8801 Capital Outlay Series 2003]

- Item No. 53 Discussion and possible action to purchase a re-built transmission, installed, for the Sheriff's Department in the amount of \$1,350.00. [Account # 001-2001-6403 Repairs and Maintenance – Vehicles]
- Item No. 56 Discussion and possible action to purchase 1 table top copier in the amount of \$3,100.00 from Neville Business Machines, Inc. for the Webb County Radio Communications Department. [Account # 682-8108-8801 Capital Outlay Series 2001 (Balance \$3,552.70)]
- Item No. 57 Discussion and possible action to award/reject the following bids:
 Bid # 2004-60 – Concrete Pads for Head Start
 Bid # 2004-61 – Playground Equipment, Hardware and Supplies for Head Start Centers
 Bid # 2004-62 – One (1) 15 Passenger Van and One (1) Medium Size Sedan for the Juvenile Justice Alternative Education Program (JJAEP)
- Item No. 58 Discussion and possible action to purchase 2 Dell Opti Plex 2.80 GHZ computers with 15 inch flat monitor and software for a total of \$3,169.38 and 1 Dell Opti Plex GX270 2.80 GHZ computer with 17 inch flat monitor with software in the amount of \$1,648.69 for a grand total of \$4,818.07. [Account # 660-0101-8801 Capital Outlay Series 2003]
- Item No. 60 Discussion and possible action to authorize the following line item transfer:
- | | | | |
|-------|---------------|-----------------------|----------|
| From: | 001-6100-6402 | Equipment Maintenance | \$800.00 |
| To: | 001-6100-5602 | Mileage | \$800.00 |
- Item No. 61 Discussion and possible action to authorize the following line item transfers:
- | | | | |
|-------|---------------|-------------------------|----------|
| From: | 001-0103-6011 | Training & Education | \$700.00 |
| | 001-0103-6403 | Vehicle Maintenance | \$200.00 |
| To: | 001-0103-6224 | Minor Apparatus & Tools | \$900.00 |
- Item No. 63 Discussion and possible action authorizing the Road & Bridge Superintendent to accept 9,000 cubic yards of dirt from the Killam Family to be used at the Casa Blanca Golf Course.
- Item No. 65 Discussion and possible action regarding agreement with the law offices of Ramon Garcia P.C. and The Watts Law Firm, L.L.P. with reference to oil and gas matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matter)]